

SENATE BILL 1098

By Stewart

AN ACT to amend Tennessee Code Annotated, Title 7,
relative to municipal electric plants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-52-601(a), is amended by designating the existing language as subdivision (1) and by deleting the word “Each” and substituting instead the language “Except as provided in subdivision (a)(2), each”.

SECTION 2. Tennessee Code Annotated, Section 7-52-601(a), is further amended by adding the following language as a new subdivision (2):

(2)

(A) In the following limited circumstances, notwithstanding subdivision (a)(1) each municipality operating an electric plant described in § 7-52-401 has the power and is authorized, under this part and on behalf of its municipality acting through the authorization of the board or supervisory body having responsibility for the municipal electric plant, sometimes referred to as “governing board” in this part, to provide, beyond its service area, cable service, two-way video transmission, video programming, Internet services, or any other like system, plant, or equipment within or without the corporate or county limits of such municipality to any governmental entity which requests such services to be provided to such entity.

(B) As used in this subdivision (a)(2), “governmental entity” means the state, municipality, county or any agency, department, division, bureau, board, commission, or other separate unit of government created or established by the

constitution, by law or pursuant to law, including any property owned by such a governmental entity.

SECTION 3. Tennessee Code Annotated, Section 7-52-401, is amended by designating the existing language as subsection (a), and by adding the following language to be designated as subsection (b):

(b)

(1) In the following limited circumstances, notwithstanding the provisions of any other law to the contrary, each municipality operating an electric plant has the power and is authorized, under this part and on behalf of its municipality acting through the authorization of the board or supervisory body having responsibility for the municipal electric plant, sometimes referred to as “governing board” in this part, to provide, beyond its service area, telephone, telegraph, telecommunications services, or any other like system, plant, or equipment within or without the corporate or county limits of such municipality to any governmental entity which requests such services to be provided to such entity.

(2) As used in this subsection (b), “governmental entity” means the state, municipality, county or any agency, department, division, bureau, board, commission, or other separate unit of government created or established by the constitution, by law or pursuant to law, including any property owned by such a governmental entity.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.